

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jul 18, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ASPEN A.,¹

Plaintiff,

v.

KILOLO KIJAKAZI, ACTING
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

NO: 4:23-cv-05017-LRS

ORDER GRANTING STIPULATED
MOTION TO REMAND

BEFORE THE COURT is the Defendant's Stipulated Motion to Remand,
ECF No. 14. Based on the stipulation of the parties, the Court finds good cause to
grant the motion. Accordingly, pursuant to the stipulation, **IT IS HEREBY
ORDERED:**

1. Defendant's Stipulated Motion for Remand, **ECF No. 14** is **GRANTED**.

¹ The court identifies a plaintiff in a social security case only by the first name and
last initial in order to protect privacy. *See* LCivR 5.2(c).


2. This case is **REVERSED** and **REMANDED** for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

3. On remand, the Appeals Council will instruct the ALJ to: offer the claimant the opportunity for a new hearing; reconsider the evidence, including the claimant's vocational history; perform a new sequential evaluation process; take additional testimony from a VE to clarify whether a person with Plaintiff's RFC can perform work with only superficial and occasional contact with supervisors, if necessary; take any further action necessary to complete the administrative record; and issue a new decision..

4. Upon proper presentation, this Court will consider Plaintiff's application for costs, expenses, and reasonable attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(a), (d).

IT IS SO ORDERED. The District Court Clerk is directed to enter this Order and provide copies to counsel. Judgment shall be entered for Plaintiff and the file shall be **CLOSED**.

DATED July 18, 2023.



LONNY R. SUKO
Senior United States District Judge